IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION No. 6537 of 2005

Between:

1. Smt.Palavarapu Rajeshwari, W/o. Rama Murthy,
   R/o. Balemla, Suryapet Mandal, Nalgonda District.
2. A.Surendra Kumar, S/o. Somasekhar,
   R/o. Plot No.84, DRDL Colony, Hasthinapuram, Ranga Reddy District.
3. Smt.K.Ramanuja, W/o. M.Satyanarayana Yadav,
   R/o. A-54, NGO's Colony, Rangareddy District.
4. M.Ramachandra, S/o. M.Ramudu,
   Plot No.12/A, Sairam Nagar Colony, Vanasthalipuram, Rangareddy District.
5. Banala Narasimha Reddy, S/o.B.Kista Reddy,
   R/o. Andugula Village, Madugula Mandal, Mahabubnagar District.
6. P.Venkata Ramani, D/o. P.Yadi Reddy,
   R/o.1-5-1/2, V.V.nagar, Habsiguda, Rangareddy District.
7. D.Mallikarjuna Reddy, S/o. D.Konda Reddy,
   R/o. Plot No.1, Karmanghat, Saroornagar Mandal, Rangareddy District.
8. Smt.Sama Laxmi, W/o. Narasimha Goud,
   R/o. 1-7-34, Chaitanyapuri, Ranga Reddy District.
9. K.Satyam, S/o. Peddannayya,
   R/o. Plot No.27, Venkataramana Colony, Karmanghat, Rangareddy District.
10. R.Dinesh Kumar, S/o. Satyanarayana,
    R/o. 18-8-254/A/1/54, Bharat Ratna Colony, Saidabad, Hyderabad.
11. Smt.Antar Kanwar, W/o. Sri Hari Singh Raj Purohit,
    R/o. 16-11-511/D/F/16, Shalivahana Nagar, Dilsukhnagar, Hyderabad.
12. P.Balakotaiah, S/o. P.Seshaiah,
    R/o. Plot No.8, Tulasinagar, Kukatpally, Ranga Reddy District.
13. Katragadda Seetha, W/o. Katragadda Phani Kumar,
    R/o. 7-1-636/31/301, Model Colony, Sanjeevareddynagar, Hyderabad.

..... PETITIONERS

AND

1. The State of A.P., rep., by its Special Chief Secretary to the Revenue

Department, Secretariat, Hyderabad.

2. The District Registrar of Stamps and Registration, Ranga Reddy District.

3. The Sub-Registrar, Champapet, Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ of Mandamus declaring the action of 3rd respondent in not registering and releasing petitioners sale deeds as per G.O.Ms.No.807, Revenue (Registration-I) Department dt.13-10-2004 as illegal, arbitrary, violative of principles of natural justice and contrary to G.O.Ms.No.807, dt.13-10-2004 and consequently direct the 3rd respondent to release the sale deeds of the petitioners after due registration of their respective plots by extending the benefit of judgments in W.P.Nos.2414/2005 and 4836/2005 dt.1-3-2005 and 11-3-2005.

Counsel for the Petitioners: MR.K.VENKATESWARLU

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

The Court at the stage of admission made the following :

O R D E R :

Heard the learned Counsel for the petitioners and the learned Government Pleader for Revenue appearing for the respondents.

The petitioners state that they have purchased different extents of lands situated in Survey Nos.57 to 60 situated at Karmanghat village, Saroornagar Mandal, Rangareddy District through sale deeds executed in their favour. When the said documents were presented before the third respondent for registration, he has refused to register the same on the ground that the first respondent issued G.O.Ms.No.751 dated 12.12.2001, wherein it was declared that the registration of the documents of immovable properties in Survey Nos.57 to 60 of Karmanghat village is opposed to public policy and thus, all the Sub-Registrars were directed not to register any sale deeds in respect of the lands in the above survey numbers. Accordingly, he passed a Refusal Order.

Subsequently, the first respondent issued G.O.Ms.No.807 dated 13.10.2004 in exercise of powers conferred under sub-section (1) of Section 22-A of the Registration Act, 1908, denotifying the notification issued in G.O.Ms.No.751 dated 12.12.2001 in respect of the lands in Survey Nos.57 to 60 of Karmanghat village. In the circumstances, the petitioners contend that the objections raised by the third respondent based on G.O.Ms.No.751 dated 12.12.2001 do not exist and therefore, they approached the third respondent with a request to register the sale deeds and to release the documents-in-question. However, the third respondent refused to entertain. Hence, this writ petition.

It is brought to my notice that an identical issue has been considered by this Court in W.P.Nos.8705 of 2002 and batch, and the writ petitions were disposed of by common order, dated 15.12.2004, directing the respondents to release the documents presented by the petitioners therein after due registration. The learned Counsel for both the parties submitted that the decision rendered in W.P.No.8705 of 2002 squarely applies to the case on hand.

Accordingly, the writ petition is disposed of with a direction to the respondents to receive the documents presented by the petitioners, and to register the same without raising any objection based on G.O.Ms.No.751 dated 12.12.2001. However, it is made clear that in case the Registering Authority finds any other objection, it is open to him to raise such objection, but the same shall be communicated to the petitioners within a period of four weeks from the date of receipt of a copy of this Order. No costs.

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G.ROHINI, J.

Dated: 5th April, 2005.

CS

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Special Chief Secretary to the Revenue Department, State of A.P.,

Secretariat, Hyderabad.

2. The District Registrar of Stamps and Registration, Ranga Reddy District.

3. The Sub-Registrar, Champapet, Ranga Reddy District.

4. Two C.Cs. to the Government Pleader for Revenue, High Court Buildings, Hyderabad. (O.U.T.)

5. 2 CD copies.